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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,347	07/26/2000	Albert Henricus Franciscus de Heer	002566-016300	8436
64313 7590 08/28/2008 NIXON PEABODY LLP 401 Ninth Street, N.W. Suite 900 WASHINGTON, DC 20004				
EXAMINER				
DARNO, PATRICK A				
ART UNIT		PAPER NUMBER		
2169				
MAIL DATE		DELIVERY MODE		
08/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/626,347

Applicant(s)

DE HEER ET AL.

Examiner

PATRICK A. DARNO

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-9 and 11-24 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/C)
Paper No(s)/Mail Date 05062008
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. No new claims were added. Claim 10 is canceled. Claims 1-9 and 11-24 are pending in this office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 8-9, 11-14, 18-21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,740,425 issued to David Povilus (hereinafter "Povilus") and further in view of U.S. Patent Application Publication Number 2003/0130905 issued to William G. Foster et al. (hereinafter "Foster").

Claim 1:

Povilus discloses a data structure of a database for use in capturing product data by inputting and storing the product data in the database (*Povilus: column 26, lines 38-39*), the data structure of the database being based on a data model having one or more classes (*Povilus: see abstract – "The concept structure includes at least one concept frame for defining classes of product groupings..."*), wherein each of the classes has one or more associated categories (*Povilus: see abstract, lines 9-14; Note that the classes define (or are associated with) product groupings (or categories).*), the data structure being embodied in a computer readable medium (*Povilus: column 5, lines 55-57 and Fig. 1*) and comprising:

at least one class definition, each class definition being arranged to identify one or more associated categories of products (*Povilus: see abstract – “The concept structure includes at least one concept frame for defining classes of product groupings...”*);

a plurality of category definitions, each category definition being arranged to identify an associated attribute group of a product category (*Povilus: column 54, lines 46-66*);

a plurality of attribute group definitions, each attribute group definition being arranged to identify one or more attributes that are associated with the attribute group of a product category (*Povilus: column 14, lines 57-67*); and

a plurality of possible value lists (*Povilus: column 10, lines 27-42*).

Povilus does not explicitly disclose:

a plurality of possible value lists for facilitating input and storage of product data into the database, each possible value list having a plurality of predetermined, user selectable values that are selectable during input and storage of product data as a value for an attribute of a product that is being classified and stored in the database so as to minimize potential error during inputting and storing of product data in accordance with the data model;

wherein each attribute is associated with at least one of the plurality of possible value lists which has a plurality of predetermined, user selectable values that are selectable during input and storage of product data as a value for the associated attribute for the product being classified and stored in the database according to the data model.

However, Foster discloses:

a plurality of possible value lists for facilitating input and storage of product data into the database, each possible value list having a plurality of predetermined, user selectable values that

are selectable during input and storage of product data as a value for an attribute of a product that is being classified and stored in the database so as to minimize potential error during inputting and storing of product data in accordance with the data model (*Foster: see paragraph [0024], [0025], [0033], [0035], lines 11-15, and [0066]*);

wherein each attribute is associated with at least one of the plurality of possible value lists which has a plurality of predetermined, user selectable values that are selectable during input and storage of product data as a value for the associated attribute for the product being classified and stored in the database according to the data model (*Foster: see paragraph [0024], [0025], [0033], and [0066]*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Povilus with the teachings of Foster noted above. The skilled artisan would have been motivated to improve the teachings of Povilus per the above such that product data could be inputted through the use of a drop-down menu (*Foster: paragraph [0033]*), thereby making the input of data into a computer system more efficient and reliable.

Claim 2:

Claim 2 is rejected on grounds corresponding to the reasons given above for rejected claim 1 and is similarly rejected including the following:

Foster discloses further "a plurality of possible unit lists each possible..." (*Foster: see paragraph [0024], [0025], [0033], [0035], lines 11-15, and [0066]*).

Claims 3 & 4:

Claims 3 and 4 are rejected on grounds corresponding to the reasons given for rejected claims 1-2 and are similarly rejected including the following:

--**Povilus** teaches “possible value list is combined with each one...a normalized value”

(*Povilus*: col. 19, lines 15-27).

Claim 5:

Claim 5 is rejected on grounds corresponding to the reasons given above for rejected claim 1 and is similarly rejected including the following:

Povilus teaches attributes associated with a data capture priority indicator that assigns priorities...” (*Povilus*: see col. 14, line 66—column 15, line 7, *whereas Povilus’ inheritance block with attributes incorporate an order or priority of attributes associated with the different blocks, therefore teach attributes with a priority that assigns priorities as taught by the applicant above.*).

Claim 8:

Claim 8 is rejected on grounds corresponding to the reasons above for rejected claim 1 and is similarly rejected including the following:

Povilus teaches “a plurality of manufacturer SKUs...SKU system...” (*Povilus*: see col. 6, lines 47-67) “a customer mapping table that maps each system SKU to a customer...” (*Povilus*: col. 22, lines 20-67).

Claim 9 and 11:

Claim 9 is rejected on grounds corresponding to the reasons given above for rejected claims 2-3 & 8 and is similarly rejected including the following:

Claim 11 is rejected on grounds corresponding to the reasons given above for rejected claims 1 & 8 and is similarly rejected including the following:

Povilus teaches “a category identifier associated with each one of the plurality of products...corresponding product” (*Povilus*: see col. 3, lines 8-54).

Claim 12:

Claim 12 is rejected on the grounds corresponding to the reasons given above for rejected claims 1 & 8 and is similarly rejected including the following:

Povilus teaches “a manufacturer product description associated with each one of the...describing standard features of the associated product” (*Povilus*: see col. 51, lines 34-67).

Claim 13:

Claim 13 is rejected on grounds corresponding to the reasons above for rejected claims 1 & 8 and is similarly rejected including the following:

Povilus teaches “an image table including link to one or more images illustrating the plurality of products...” (*Povilus*: see col. 25, lines 16-50 and column 24, lines 37-41).

Claim 14:

Claim 14 is rejected on grounds corresponding to the reasons given above for rejected claims 1 & 8 and is similarly rejected including the following:

Povilus teaches “a marketing description for selected...products” (*Povilus*: see col. 33, lines 55-67 and col. 34, lines 5-25).

Claim 18:

Claim 18 is rejected under the same reasons set forth in the rejection of claim 1.

Claim 19:

Claim 19 is rejected under the same reasons set forth in the rejection of claim 2.

Claim 20:

Claim 20 is rejected under the same reasons set forth in the rejection of claim 4.

Claim 21:

Claim 21 is rejected under the same reasons set forth in the rejection of claim 5.

Claim 24:

Claim 24 is rejected under the same reasons set forth in the rejection of claims 1 and 8.

3. Claims 6, 15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Povilus in view of Foster and further in view of U.S. Patent Application Publication Number 2003/0097211 issued to Anthony Carroll et al. (hereinafter "Carroll").

Claim 6:

Claim 6 is rejected on the grounds corresponding to the reasons given above for rejected claim 1 and is similarly rejected including the following:

The combination of Povilus and Foster appears to disclose all the elements of claim 1, as noted above, but the previously mentioned combination fails to explicitly disclose a possible countries table specifying one or more countries that are selectable during input and storage of product data as countries for which a product being classified and stored in the database according to the data model is adapted for sale.

However, Carroll discloses a possible countries table specifying one or more countries that are selectable during input (*Carroll: paragraph [0042] and Fig. 3a – 3c*) and storage of product data as countries for which a product being classified and stored in the database according to the data model is adapted for sale (*Carroll: paragraph [0042]*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the previously mentioned combination with the teachings of Carroll noted above. The skilled artisan would have been motivated to improve the previously mentioned

combination per the above in order to create a data entry and update method that is relatively easy to implement (*Carroll*: paragraph [0007], lines 9-10).

Claim 15:

Claim 15 is rejected under the same reasons set forth in the rejections of claims 1, 6, and 8.

Claim 22:

Claim 22 is rejected under the same reasons set forth in the rejection of claim 6.

4. Claims 7, 16-17, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Povilus in view of Foster and further in view of U.S. Patent Number 6,182,275 issued to Alan E. Beelitz et al. (hereinafter “Beelitz”).

Claim 7:

Claim 7 is rejected on grounds corresponding to the reasons given above for rejected claim 1 and is similarly rejected including the following:

The combination of Povilus and Fosters discloses all the elements of claim 1, as noted above, but the previously mentioned combination does not explicitly disclose a possible compatibility table including one or more platforms that are selectable during input and storage of product data as platforms which are compatible with a specific product being classified and stored in the database according to the data model.

However, Beelitz discloses a possible compatibility table including one or more platforms that are selectable during input and storage of product data as platforms which are compatible with a specific product being classified and stored in the database according to the data model (*Beelitz*: abstract, lines 2-17 and column 18, lines 17-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the previously mentioned combination with the teachings of Beelitz noted above. The skilled artisan would have been motivated to improve the previously mentioned combination per the above in order to provide a data entry system that can be utilized by users of a various skill levels (*Beelitz: column 3, lines 32-43*). Since a list of compatible options is presented to a user for selection therefrom, the user does not need to be familiar with the product to choose compatible items for data entry. This provides the advantage of a high level of data integrity without having to employ workers who are highly trained in the details or workings of a particular product (*Beelitz: column 3, lines 37-39*).

Claim 16, 17, and 23:

Claims 16, 17, and 23 is rejected under the same reasons set forth in the rejection of claim 7.

Response to Arguments

Examiner Notes:

- In light of the new grounds of rejection presented for claims 2, 5-7, 15-17, and 21-23 it is believed that the Applicant's arguments with respect to those claims are now moot.
- The Cassidy Patent (US 7,107,226) is no longer relied upon in any of the rejections given above. Therefore, Applicant's arguments with respect to the Cassidy Patent are now moot.
- Applicant argued that certain limitations of Applicant's claim 1 were not reproduced correctly in the Examiner's Office Action mailed 08/08/2007 (Applicant's Response received 05/06/2008, pgs. 10-11).

Applicant Argues:

That is, the Examiner has **not** provided the requisite rationale to support a conclusion that a person of ordinary skill in the art would have been motivated to combine all three of the cited references, Povilus and Foster and Cassidy, to achieve the claimed invention. Thus, Applicants respectfully submit that the Examiner's rationale cannot support a finding of obviousness. Therefore, Applicants respectfully submit that the requisite **prima facie case of obviousness has not been made**.

Examiner Responds:

First, it is noted that the Cassidy reference is no longer being relied upon in the rejections given above. Therefore, a motivation now only has to be provided for the combination of Povilus and Foster.

After a further review of the prior art, the Examiner has modified the motivation set forth to combine the Povilus and Foster reference. The Examiner sets forth that one of ordinary skill in the art would have been motivated to modify the teachings of Povilus with the teachings of Foster such that product data could be inputted through the use of a drop-down menu [Foster: paragraph [0033]], thereby making the input of data into a computer system more efficient and reliable.

Since it now appears that proper motivation is given to combine the teachings of Povilus and Foster, the claims remain rejected under the reasons set forth in the preceding office action.

Applicant Argues:

Further, Applicants respectfully submit that Povilus does not teach or suggest a plurality of attribute group definitions, each attribute group definition being arranged to identify one or more attributes that are associated with the attribute group of a product category, as claimed in Claim 1.

Examiner Responds:

Examiner is not persuaded. The maintains that Povilus discloses "a plurality of attribute group definitions, each attribute group definition being arranged to identify one or more attributes that are associated with the attribute group of a product category" [Povilus: column 14, lines 47-57].

Specifically note that Povilus discloses "...attributes and behaviors that dictate the navigation of a concept over the characteristics that differentiate each class, or grouping of products from every other class of products..." [Povilus: column 14, lines 47-57]. It appears that the "attributes and behaviors that dictate" of Povilus are equivalent to the claimed "attribute group definitions." Furthermore, the "characteristics that differentiate each class, or grouping of products" disclosed by Povilus appear to be equivalent to the claimed "attributes that are associated with the attribute group of a product category."

Since it appears that each and every element of the Applicant's claimed invention is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Applicant Argues:

The Examiner states the position that Povilus teaches... 'a plurality of attribute group definitions, each having an associated possible value list that identifies...' (Povilus: see col. 14, lines 57-67). As stated in the present specification, "...the data model defines attributes for each of the classification categories. In effect, the attributes identify the type of data which is to be captured for each product within a particular category. One or more attributes (e.g., size, upgradability) may be specified for each category within the data model. By way of example, the

attributes associated with each category may be arranged in one or more attribute groups". (page 14, lines 1-6, Specification).

Examiner Responds:

Examiner is not persuaded. In response to Applicant's argument that the references fail to show certain features of Applicant's invention, it is noted that the features upon which Applicant relies (i.e., page 14, lines 1-6, Specification and "an attribute identifies the type of data to be captured for each product within a particular category") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As shown above, it appears that Povilus discloses "a plurality of attribute group definitions, each attribute group definition being arranged to identify one or more attributes that are associated with the attribute group of a product category" [Povilus: column 14, lines 47-57].

Since it appears that each and every element of the Applicant's **claimed invention** is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Applicant Argues:

Applicants respectfully submit that Foster in paragraph [0024] teaches a product editor that allows the input of product, but does not teach "possible value lists".

Applicants respectfully submit that in paragraph [0033] Foster teaches having standard pull down menus for the product editor and that "information such as products, subproduct types, colors, palettes, palette colors, patterns, pattern colorways and colorway colors, sizes, size scales and size ranges, dimension, dimension scales and dimension ranges that any product [sic] can be established through the product editor 20." Applicants respectfully submit, however, that providing a product editor for providing product information for products which allows information such as colors, size ranges, and dimensions, etc. to be input to a product editor does not teach or suggest a possible value list or a possible value list which has values that are selectable during input and storage of product data, as claimed in claim 1.

Examiner Responds:

Examiner is not persuaded. The Examiner maintains that the "pull-down" menus of Foster are equivalent to the "possible value lists" claimed by the Applicant. Specifically note that Foster recites, "...all product information is inputted initially through the product editor 20, selected through the product menu 22" [Foster: paragraph [0033], lines 1-3]. Foster continues to say that such product menus "may be implemented using standard pull-down type with nesting sub-menus or similar menu structure" [Foster: paragraph [0033], lines 4-6].

The Examiner asserts that all the items contained on the drop-down menus comprise at least a subset of possible values that may be input for a given product. It therefore follows that such a grouping of items presented in the drop-down menu can naturally be referred to as "a possible value list".

Further note that the drop-down menus are presented via a user interface [Foster: paragraph [0033], lines 6-8] and that the options from the drop-down are "selected" [Foster: paragraph [0033], lines 1-3]. Therefore, it appears reasonable to conclude that the options or values on the drop-down list are user-selectable.

Since it appears that each and every element of the Applicant's claimed invention is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Applicant Argues:

Applicants respectfully submit that there is no teaching or suggestion in this portion of Cassidy of "a plurality of predetermined, user selectable values" and "each possible value list having a plurality of predetermined, user selectable values that are selectable during input and storage", as claimed in Claim 1.

Examiner Responds:

As noted above, the Examiner is no longer relying on the Cassidy patent as part of the prior art rejections of the Applicant's claims. As shown above, it appears to be clear that the user-selectable options presented on the drop-down menus (possible value list) of Foster disclose the claim limitations argued by the Applicant above (i.e., "a plurality of predetermined, user selectable values" and "each possible value list having a plurality of predetermined, user selectable values that are selectable during input and storage").

Since it appears that each and every element of the Applicant's claimed invention is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Applicant Argues:

Claim 3 recites "The data structure as recited in claim 2, wherein each one of the values in the possible value list is combined with each one of the units in an associated possible unit list for one of the attributes to create a possible value-unit combination, and wherein each possible value-unit combination is normalized." Applicants respectfully submit that, as can be seen, **Claim 3 does not recite "a normalized value"** as quoted by the Examiner in his rejection. In contrast, it is respectfully submitted that Claim 3 includes creating a possible value-unit **combination** which is normalized. Applicants respectfully submit, therefore, that the Examiner has not set forth teachings of **normalized possible value-unit combination**, as claimed in Claim 3.

Examiner Responds:

Examiner is not persuaded. It is important to note that the rejection given by the Examiner is a rejection under 35 U.S.C. 103(a). By giving a rejection under 35 U.S.C. 103(a), the Examiner is asserting that the Applicant's claimed invention is simply an obvious variation of the prior art of record. While the Foster reference itself may not explicitly recite verbatim "possible value-unit combination", that does not mean the Applicant's claim limitation is

unobvious over the prior art of record.

As interpreted by the Examiner, Applicant's claim 3 combines or converts data items in a data structure via the process of normalization. And, as interpreted by the Examiner, Foster takes data items stored in data structure and combines or converts the data items using techniques of data massaging and normalization.

The Examiner sets forth that while the data items being normalized may be referred to as different names, no detail of the Applicant's normalization process has been adequately claimed in order to make it patentably distinct from the normalization process disclosed by Foster, therefore, the claims remain rejected under the reasons set forth in the preceding office action.

The rejections of claims 4 and 20 are maintained based upon the reasons as the reasons given for maintaining the rejections of claim 3.

Applicant Argues:

Claim 8 includes, among other elements not specifically recited in Claim 1, **a plurality of system SKUs, a plurality of manufacturer SKUs, an attribute table, and a customer mapping table**. Applicants respectfully submit that the Examiner mentioned **only two** of the four limitations; i.e., "a plurality of manufacturing SKUs" and the "customer mapping table" elements, in his rejection. It is respectfully submitted, therefore, that the Examiner has failed to identify or set forth any teachings in Povilus or any other reference regarding the following elements in claim 8: **a plurality of system SKUs, and an attribute table**. Therefore, Applicants respectfully submit that, for at least this reason, Claim 8 is non-obvious based on Povilus, in view of Foster, and further in view of Cassidy.

Examiner Responds:

Examiner is not persuaded. The Examiner notes that claim 8 is rejected under all the reasons set forth in claim 1, and further in view of the additional reasons given in the rejection of claim 8 (i.e., citations given to show that Povilus discloses "...a plurality of system SKUs...SKU

system..." and "a customer mapping table that maps each system SKU to a customer...").

The Examiner therefore sets forth that since Povilus discloses the equivalent of mapping a system SKU to a customer" (Povilus: column 22, lines 20-67) that it was clear that Povilus discloses a plurality of system SKUs.

As for "an attribute table", this limitation can be found in at least Povilus column 14, lines 57-67. This citation was given in the rejection of claim 1. And it is clearly noted that claim 8 is rejected under the reasons set forth in the rejection of the claim 1, in view of the additional portions of Povilus listed in the rejection of claim 8.

Since it appears that each and every element of the Applicant's claimed invention is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Examiner Concludes:

- All remaining arguments are either clear in view of the rejections given or they have been adequately addressed above. Therefore, the claims remain rejected under the reasons set forth in the preceding office action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on (571) 272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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PAD

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